

#40

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:

TORRANCE *et al.*

Serial No.: 09/961,407

Filed: September 25, 2001



Group Art Unit: 1614

BOX: MISSING PARTS

Docket No. 001107.00140

For: **USE OF ISOGENIC HUMAN CANCER CELLS FOR HIGH-THROUGHPUT SCREENING AND DRUG DISCOVERY**

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)
AND ASSERTION OF SMALL ENTITY STATUS UNDER 37 C.F.R. § 1.27(c)(1)**

Assistant Director of Patents

Washington, D.C. 20231

Attn: Box Missing Parts

Dear Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application dated October 23, 2001, the Applicants hereby submit the executed declaration for the subject application. Accordingly, it is respectfully requested that a filing date of September 24, 2001, be granted to this application, which is the filing date the original specification and drawings were filed with the Patent and Trademark Office.

Applicants are entitled to small entity status. The Director is authorized to charge \$1,057.00 to Deposit Account No. 19-0733, to cover the following:

\$370.00 - Basic Filing Fee;

\$315.00 – 35 total claims in excess of 20;

\$252.00 – 6 extra independent claims;

\$ 65.00 - Surcharge for late declaration; and

12/28/2001 SZEWDIE1 00000009 190733 09961407

05 FC:215

55.00 CH

\$ 55.00 – One month extension of time fee.

It is believed that these fees as calculated are correct. However, if an additional fee is required, please charge Deposit Account No. 19-0733.

Respectfully submitted,

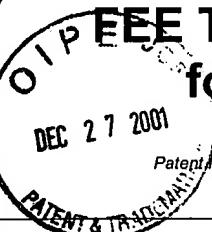
December 27, 2001

By:


Lisa M. Hemmendinger
Registration No. 42,653

Banner & Witcoff, LTD.
Eleventh Floor
1001 G Street, N.W.
Washington, D.C. 20001
(202) 508-9100

Under the Paperwork Reduction Act of 1995, persons are required to respond to a collection of information unless it displays a valid OMB control number.

 <h1 style="margin: 0;">OPI FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2002</h2> <p style="margin: 0; font-size: small;">Patent fees are subject to annual revision.</p> <p style="margin: 0; font-size: small;">DEC 27 2001</p> <p style="margin: 0; font-size: small;">PATENT & TRADEMARK OFFICE</p>		<p style="text-align: right; margin-bottom: 0;"><i>Scot</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center; padding: 2px;">Complete if Known</th> </tr> </thead> <tbody> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;">09/961,407</td> </tr> <tr> <td>Filing Date</td> <td>September 25, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>TORRANCE et al.</td> </tr> <tr> <td>Examiner Name</td> <td>TBA</td> </tr> <tr> <td>Group / Art Unit</td> <td>1614</td> </tr> <tr> <td colspan="2">Attorney Docket No. 001107.000140</td> </tr> </tbody> </table>		Complete if Known		Application Number	09/961,407	Filing Date	September 25, 2001	First Named Inventor	TORRANCE et al.	Examiner Name	TBA	Group / Art Unit	1614	Attorney Docket No. 001107.000140	
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TOTAL AMOUNT OF PAYMENT	(\$)			1,057.00													

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																											
<p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number 19-0733</p> <p>Deposit Account Name Banner & Witcoff</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Fee Code</th> <th style="width: 15%;">Large Entity Fee (\$)</th> <th style="width: 15%;">Fee Code</th> <th style="width: 15%;">Small Entity Fee (\$)</th> <th style="width: 40%;">Fee Description</th> <th style="width: 10%;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>65.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td>55.00</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17 (q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179 (RCE)</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr> <td colspan="4" style="text-align: center;">Other fee (specify) _____</td> <td colspan="2"></td> </tr> <tr> <td colspan="4" style="text-align: center;">*Reduced by Basic Filing Fee Paid</td> <td colspan="2" style="text-align: right; 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SUBMITTED BY					
Name (Print/Type)	Lisa M. Hemmendinger	Registration No. Attorney/Agent)	42,653	Telephone	202-508-9100
Signature				Date	December 27, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/961,407	09/25/2001	Chris Torrance	01107.00140

LISA M. HEMMENDINGER
 BANNER & WITCOFF, LTD.
 1001 G STREET, N.W.
 WASHINGTON, DC 20001



CONFIRMATION NO. 5508
FORMALITIES LETTER



OC000000006952617

Date Mailed: 10/23/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/28/2001 SZEWDIE1 00000009 190733 09961407

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

01 FC:201	370.00 CH
02 FC:202	252.00 CH
03 FC:203	315.00 CH
04 FC:205	65.00 CH

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1110.
 - \$630 for 35 total claims over 20.
 - \$480 for 6 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1950.

*A copy of this notice **MUST** be returned with the reply.*

41

Customer Service Center
 Initial Patent Examination Division (703) 308-1202
 PART 2 - COPY TO BE RETURNED WITH RESPONSE